

3512. Adulteration and misbranding of alleged olive oil. U. S. v. Paolo Manganelli. Plea of guilty. Fine, \$25. (F. & D. No. 4978. I. S. No. 3189-d.)

At the April, 1914, term of the District Court of the United States for the Southern District of New York the jurors of the United States of America within and for said district, after presentment by the United States attorney for the district aforesaid, upon a report by the Secretary of Agriculture, returned an indictment against Paolo Manganelli, New York, N. Y., charging shipment by said defendant, in violation of the Food and Drugs Act, on March 11, 1912, from the State of New York into the State of Rhode Island, of a quantity of alleged olive oil, which was adulterated and misbranded. The product was labeled: "Tripoli Brand (Trade Mark—Girl holding Italian flag, followed by soldiers with Italian flag, standing upon map of Tripolitania) Olio Puro Italiano di Oliva."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Index of refraction at 25° C.....	1.4695
Iodin number (Hanus).....	101.7
Halphen test for cottonseed oil: Positive.	

Adulteration of the product was charged in the indictment for the reason that a substance, to wit, cottonseed oil, had been substituted in part for the olive oil which the product purported to be, and for the further reason that a substance, to wit, cottonseed oil, had been mixed and packed with the article aforesaid so as to reduce and lower and injuriously affect its quality and strength. Misbranding was charged for the reason that the statement "Olio Puro Italiano di Oliva" appearing on the label was false and misleading, in that it conveyed the impression that the article was pure Italian olive oil, whereas, in truth and in fact, it was not pure olive oil but was a mixture of olive oil and domestic cottonseed oil. Misbranding was charged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled "Olio Puro Italiano," thereby creating the impression that the article aforesaid was pure Italian olive oil, whereas, in truth and in fact, it was not pure Italian olive oil, but was a mixture of olive oil and domestic cottonseed oil. Misbranding was charged for the further reason that the article purported to be a foreign product, to wit, a product of Italy, whereas, in truth and in fact, it was not a foreign product, nor did it come from Italy, but it was an article of domestic production.

On July 15, 1914, the defendant entered a plea of guilty to the indictment and the court imposed a fine of \$25.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *December 31, 1914.*

N.J. 3501-3550.1 SERVICE AND REGULATORY ANNOUNCEMENTS.

3513. Adulteration of Mulford's violets. U.S.v. 4 Cases of Confectionery Labeled "Mulford's Violets." Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 5119. I. S. No. 8020-a. S. No. 1743.)

On March 26, 1913, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cases of confectionery labeled "Mulford's Violets," remaining unsold in the original unbroken packages at Boston, Mass., alleging that the product had been shipped by the H. K. Mulford Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the product was alleged in the libel for the reason that it contained talc.

On August 12, 1914, the H. K. Mulford Co., Boston, Mass., claimant, having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., December 31, 1914.